

July 18, 2014

REGULAR MEETING MINUTES  
ILLINOIS CIVIL SERVICE COMMISSION  
July 18, 2014

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

Garrett P. FitzGerald, Chairman; James B. Anderson, Anita M. Cummings, Susan Moylan Krey, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director; Andrew Barris, Assistant Executive Director (by telephone); Elizabeth Whitehorn, Mike Quinlan (by telephone), John Logsdon (by telephone), and Chris Nickols (by telephone), Illinois Department of Central Management Services; Emily Monk, Illinois Department of Commerce and Economic Opportunity; Matthew Glavin, Susan Gold, and Lisa Prose (by telephone), Illinois Department of Financial and Professional Regulation; Scott Viniard (by telephone), Kristine Smith (by telephone), and Sherrie Bridges (by telephone), Illinois Department of Human Services; Era Laudermilk, Illinois Department of Juvenile Justice; Natalia Delgado and Marni Malowitz, Illinois State Police; Denise Connelly (by telephone), State Retirement Systems; and Beth Duesterhaus (by telephone), Administrative and Regulatory Shared Services Center.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD ON JUNE 20, 2014

**IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER KREY, AND THE MOTION ADOPTED 5-0 TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD ON JUNE 20, 2014.**

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

At this time, in accordance with the Open Meetings Act and the Rules of the Civil Service Commission, Executive Director Daniel Stralka offered an opportunity for any person to address members of the Commission. Hearing no response, the meeting proceeded to the next agenda item.

July 18, 2014

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

**A. Report on Exempt Positions from Illinois Dept. of Central Management Services**

| <u>Agency</u>                                   | <u>Total Employees</u> | <u>Number of Exempt Positions</u> |
|-------------------------------------------------|------------------------|-----------------------------------|
| Aging.....                                      | 141.....               | 18                                |
| Agriculture.....                                | 336.....               | 20                                |
| Arts Council.....                               | 15.....                | 2                                 |
| Capitol Development Board.....                  | 47.....                | 0                                 |
| Central Management Services.....                | 1,440.....             | 114                               |
| Children and Family Services.....               | 2,629.....             | 51                                |
| Civil Service Commission.....                   | 4.....                 | 0                                 |
| Commerce & Economic Opportunity.....            | 361.....               | 68                                |
| Commerce Commission.....                        | 72.....                | 0                                 |
| Corrections.....                                | 10,892.....            | 99                                |
| Criminal Justice Authority.....                 | 56.....                | 5                                 |
| Deaf and Hard of Hearing Comm.....              | 7.....                 | 1                                 |
| Developmental Disabilities Council.....         | 9.....                 | 1                                 |
| Emergency Management Agency.....                | 82.....                | 5                                 |
| Employment Security.....                        | 1,307.....             | 30                                |
| Environmental Protection Agency.....            | 791.....               | 17                                |
| Financial & Professional Regulation.....        | 434.....               | 45                                |
| Gaming Board.....                               | 159.....               | 6                                 |
| Guardianship and Advocacy.....                  | 102.....               | 7                                 |
| Healthcare and Family Services.....             | 2,096.....             | 26                                |
| Historic Preservation Agency.....               | 165.....               | 16                                |
| Human Rights Commission.....                    | 15.....                | 2                                 |
| Human Rights Department.....                    | 145.....               | 9                                 |
| Human Services.....                             | 11,888.....            | 74                                |
| Illinois Torture Inquiry Relief Commission..... | 3.....                 | 1                                 |
| Independent Tax Tribunal.....                   | 1.....                 | 0                                 |
| Insurance.....                                  | 235.....               | 16                                |
| Investment Board.....                           | 4.....                 | 2                                 |
| Juvenile Justice.....                           | 1,012.....             | 22                                |
| Labor.....                                      | 90.....                | 11                                |
| Labor Relations Board Educational.....          | 12.....                | 2                                 |
| Labor Relations Board State.....                | 19.....                | 2                                 |
| Law Enforcement Training & Standards Bd.....    | 18.....                | 2                                 |
| Lottery.....                                    | 136.....               | 6                                 |
| Military Affairs.....                           | 120.....               | 3                                 |
| Natural Resources.....                          | 1,242.....             | 30                                |
| Pollution Control Board.....                    | 22.....                | 2                                 |
| Prisoner Review Board.....                      | 17.....                | 0                                 |
| Property Tax Appeal Board.....                  | 34.....                | 1                                 |
| Public Health.....                              | 1,146.....             | 43                                |
| Racing Board.....                               | 2.....                 | 1                                 |
| Revenue.....                                    | 1,766.....             | 54                                |
| State Fire Marshal.....                         | 131.....               | 12                                |
| State Police.....                               | 1,117.....             | 6                                 |
| State Police Merit Board.....                   | 4.....                 | 2                                 |
| State Retirement Systems.....                   | 103.....               | 2                                 |
| Transportation.....                             | 2,171.....             | 0                                 |
| Veterans' Affairs.....                          | 1,332.....             | 9                                 |
| Workers' Compensation Commission.....           | 133.....               | 11                                |
| TOTALS.....                                     | 44,063.....            | 856                               |

**B. Governing Rule – Section 1.142 Jurisdiction B Exemptions**

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
  - 1) The amount and scope of principal policy making authority;
  - 2) The amount and scope of principal policy administering authority;
  - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
  - 4) The capability to bind the agency, board or commission to a course of action;
  - 5) The nature of the program for which the position has principal policy responsibility;
  - 6) The placement of the position on the organizational chart of the agency, board or commission;
  - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

\* \* \*

**C. Requests for 4d(3) Exemption**

Executive Director Daniel Stralka reported the following:

- As to Item C1, this request is from the Department of Commerce and Economic Opportunity and is for an Assistant Deputy Director of Marketing, a position that reports to the Deputy Director who reports to the Director. Staff had several questions about this request which the agency responded to with additional materials, but there was insufficient time to review all their submissions and complete the Staff analysis much less forward the additional materials to the Commissioners. This was also the situation for Items C2 and C5. Emily Monk, Chief Operating Officer, indicated she had no objection to continuing these requests until the August meeting.
- As to Items C3 and C4, these requests are from the Department of Commerce and Economic Opportunity and are for Regional Economic Development Liaisons for African-American and Latino businesses, positions that report to the Deputy Director of Regional Economic Development who reports to the Director. The agency had indicated that it regularly meets with these respective caucuses of the General Assembly about economic development issues impacting their respective communities and determined to establish positions that can address the caucuses concerns. Staff was prepared to recommend approval of these requests since similar positions had been established in other agencies but had concerns whether there would be any similar such requests from the agency. Emily Monk confirmed the Staff presentation and added that there are no plans to make any similar requests for any other demographic groups.
- As to Item D1, this request is from the Department of Financial and Professional Regulation and is for a Deputy General Counsel for Real Estate Program Counseling, a position that reports to the General Counsel who reports to the Secretary. This position essentially mirrors other already exempt Deputy General Counsel positions in the agency that have principal legal policy responsibility in the four historical subject areas under the agency's umbrella. There was a recent Executive Order that recreated the Division of Real Estate, and this is one of three requests on this month's agenda related to that Executive Order. For these reasons, Staff recommended approval of this request.
- As to Item D2, this request is from the Department of Financial and Professional Regulation and is for a Chief of Staff, a position that reports to the Secretary. For unknown reasons, the agency's Chief of Staff had been assigned to an exempt Confidential Assistant position under Section 4d(1) of the Personnel Code. The agency is taking this step to more properly exempt this position under Section 4d(3). It will also ensure that the agency is in compliance with the restrictions of Section 4d(1). As the Commission has historically approved similar requests, Staff recommended approval of this request.

- As to Item E, this request is from the Department of Financial and Professional Regulation and is for a Deputy Director for Real Estate Licensing and Education, a position that reports to the Director of Real Estate who reports to the Secretary. As previously indicated, this request is related to the reestablishment of the Division of Real Estate. Staff had concerns that there may be some overlap with another already exempt position related to real estate examinations which were unable to be fully reviewed prior to the meeting. Matthew Glavin, Chief of Staff, explained that the structure for the Division of Real Estate would be similar to that of Nursing. He noted that there were 76,500 licenses in the real estate cluster which included sales, auctions, inspections and appraisals. This position would have principal policy responsibility for not only the licensing process, but also have to address issues related to individuals who are denied licenses. They are not included in the 76,500 number. Once the licensing is accomplished, the principal policy responsibility for managing the profession would pass to the examination position. Commissioner Krey inquired who was previously performing this job. Matthew Glavin responded that it was previously under the Department of Professional Regulation but now that the Division of Real Estate has been separated from Professional Regulation the need to create this position arose.
- As to Item F, this request is from the Department of Financial and Professional Regulation and is for a Legislative Liaison, a position that reports to the Legislative Director who reports to the Secretary. This position will perform traditional legislative liaison duties which the Commission has historically recognized as supporting exemption, but dedicated to the Division of Real Estate. For these reasons, Staff recommended approval of this request.
- As to Item G, this request is from the Department of Human Services and is also for a Legislative Liaison, a position that reports to the Manager of the Office of Legislation who reports to the Secretary. This position also will perform traditional legislative liaison duties which the Commission has historically recognized as supporting exemption. For these reasons, Staff recommended approval of this request. Staff also noted that the agency presently has two exempt legislative liaison positions.
- As to Item H, this request is from the Department of Human Services and is for a Bureau Chief for Home Services, a position that reports to the Deputy Director of Rehabilitation Services who reports to the Assistant Secretary who reports to the Secretary. It has principal policy responsibility for those State residents under the age of 60 who are significantly disabled for a variety of reasons and rather than be institutionalized, will receive home-based care. Staff reminded the Commissioners that we have recently had requests from the Department of Aging related to the Colbert Decree which is mandating that such individuals be able to explore this long-term care option. Staff's only concerns were with the number of exempt positions across multiple agencies that are dedicated to this program. Staff was unable to complete its analysis on this regard, but notes that on its face this position would appear to qualify for exemption. Kristine Smith, Deputy Director/Division of Rehabilitation Services, explained that the

Department of Human Services has a waiver program similar to that of the Department on Aging. The agencies just serve different populations, but both are focused on long-term care rebalancing which is the focus of the Colbert Decree. The Department of Human Services' population is in excess of 30,000 residents. This position will be principally responsible to handle the transition these individuals are undergoing from managed care.

- As to Item I, this request is from the Department of Juvenile Justice and is for a Chief of Professional Development and Training, a position that reports to the Director. This position has principal policy responsibility for ensuring the professional development of the agency's employees. Staff noted that there is a similar exempt position in the Department of Corrections. For these reasons, Staff recommended approval of this request. Era Laudermilk, Chief of Staff, added that the individual who had been performing these duties for the agency had recently returned to a position at the Department of Corrections. Commissioner Krey inquired if this individual had been in a Section 4d(3) exempt position. Era Laudermilk indicated they had not.
- As to Item J, this request is from the Illinois State Police and is for the Executive Director of the Concealed Carry Board, a position that reports to the Board itself. The Concealed Carry Board is a statutory creation charged with oversight of the licensing activities for this program. Since the Commission has approved similarly charged positions in the past, Staff recommended approval of this request.
- As to Item K, this request is from the State Retirement System and is for a Policy Advisor, a position that reports to the Executive Secretary. This position will have principal policy responsibility for a number of activities that have traditionally supported exemption. For these reasons, Staff recommended approval of this request.

**IT WAS MOVED BY COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0, TO CONTINUE THE REQUEST FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITIONS:**

- C1: Assistant Deputy Director (Commerce & Economic Opportunity)**
- C2: Deputy Chief of Staff (Commerce & Economic Opportunity)**
- C5: Illinois Works Manager (Commerce & Economic Opportunity)**

**IT WAS MOVED BY COMMISSIONER ANDERSON, SECONDED BY CHAIRMAN FITZGERALD, AND THE MOTION ADOPTED 5-0, TO GRANT THE REQUEST FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITIONS:**

- C3: African American Business Dev. (Commerce & Economic Opportunity)**
- C4: Latino Business Development (Commerce & Economic Opportunity)**

July 18, 2014

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER ANDERSON, AND THE MOTION ADOPTED 5-0, TO GRANT THE REQUEST FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITIONS:**

- D1: Deputy General Counsel, Real Estate Program Counseling (Financial & Professional Regulation)**
- D2: Chief of Staff (Financial & Professional Regulation)**
- E: Deputy Director, Real Estate Licensing and Education (Financial and Professional Regulation)**
- F: Legislative Liaison (Financial & Professional Regulation)**

**IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER ANDERSON, AND THE MOTION ADOPTED 5-0, TO GRANT THE REQUEST FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITION:**

- G: Legislative Liaison (Human Services)**

**IT WAS MOVED BY COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 4-0, WITH COMMISSIONER CUMMINGS ABSTAINING, TO GRANT THE REQUEST FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITION:**

- H: Bureau Chief for Home Services (Human Services)**

**IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0, TO GRANT THE REQUEST FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITIONS:**

- I: Chief of Professional Development and Training (Juvenile Justice)**
- J: Executive Director, Concealed Carry Licensing Review Board (State Police)**
- K: Policy Advisor (State Retirement Systems)**

**The following 4d(3) exemption requests were continued to the August 15, 2014 meeting on July 18, 2014:**

**C1. Illinois Dept. of Commerce & Economic Opportunity**

|                  |                                             |
|------------------|---------------------------------------------|
| Position Number  | 40070-42-00-010-05-01                       |
| Position Title   | Senior Public Service Administrator         |
| Bureau/Division  | Marketing                                   |
| Functional Title | Assistant Deputy Director                   |
| Incumbent        | Vacant                                      |
| Supervisor       | Deputy Director who reports to the Director |
| Location         | Cook County                                 |

July 18, 2014

**C2. Illinois Dept. of Commerce & Economic Opportunity**

|                  |                              |
|------------------|------------------------------|
| Position Number  | 37015-42-00-000-03-01        |
| Position Title   | Public Service Administrator |
| Bureau/Division  | Director's Office            |
| Functional Title | Deputy Chief of Staff        |
| Incumbent        | Vacant                       |
| Supervisor       | Director                     |
| Location         | Cook County                  |

**C5. Illinois Dept. of Commerce & Economic Opportunity**

|                  |                                             |
|------------------|---------------------------------------------|
| Position Number  | 40070-42-40-300-00-01                       |
| Position Title   | Senior Public Service Administrator         |
| Bureau/Division  | Employment and Training                     |
| Functional Title | Illinois Works Manager                      |
| Incumbent        | Vacant                                      |
| Supervisor       | Deputy Director who reports to the Director |
| Location         | Sangamon County                             |

**The following 4d(3) exemption requests were granted on July 18, 2014**

**C3. Illinois Dept. of Commerce & Economic Opportunity**

|                  |                                             |
|------------------|---------------------------------------------|
| Position Number  | 40070-42-10-030-00-01                       |
| Position Title   | Senior Public Service Administrator         |
| Bureau/Division  | Regional Economic Development               |
| Functional Title | African American Business Development       |
| Incumbent        | Vacant                                      |
| Supervisor       | Deputy Director who reports to the Director |
| Location         | Cook County                                 |

**C4. Illinois Dept. of Commerce & Economic Opportunity**

|                  |                                             |
|------------------|---------------------------------------------|
| Position Number  | 40070-42-10-040-00-01                       |
| Position Title   | Senior Public Service Administrator         |
| Bureau/Division  | Regional Economic Development               |
| Functional Title | Latino Business Development                 |
| Incumbent        | Vacant                                      |
| Supervisor       | Deputy Director who reports to the Director |
| Location         | Cook County                                 |

**D1. Illinois Dept. of Financial and Professional Regulation**

|                  |                                                        |
|------------------|--------------------------------------------------------|
| Position Number  | 40070-13-01-900-00-01                                  |
| Position Title   | Senior Public Service Administrator                    |
| Bureau/Division  | Office of Legal Affairs                                |
| Functional Title | Deputy General Counsel, Real Estate Program Counseling |
| Incumbent        | Vacant                                                 |
| Supervisor       | General Counsel who reports to the Secretary           |
| Location         | Cook County                                            |

**D2. Illinois Dept. of Financial and Professional Regulation**

|                  |                                     |
|------------------|-------------------------------------|
| Position Number  | 40070-13-00-050-00-01               |
| Position Title   | Senior Public Service Administrator |
| Bureau/Division  | Secretary's Staff                   |
| Functional Title | Chief of Staff                      |
| Incumbent        | Matthew T. Glavin                   |
| Supervisor       | Secretary                           |
| Location         | Cook County                         |

**E. Illinois Dept. of Financial and Professional Regulation**

|                  |                                                      |
|------------------|------------------------------------------------------|
| Position Number  | 40070-13-50-300-00-01                                |
| Position Title   | Senior Public Service Administrator                  |
| Bureau/Division  | Real Estate Licensing and Education                  |
| Functional Title | Deputy Director                                      |
| Incumbent        | Vacant                                               |
| Supervisor       | Director of Real Estate who reports to the Secretary |
| Location         | Sangamon County                                      |

**F. Illinois Dept. of Financial and Professional Regulation**

|                  |                                                   |
|------------------|---------------------------------------------------|
| Position Number  | 37015-13-04-500-00-01                             |
| Position Title   | Public Service Administrator                      |
| Bureau/Division  | Legislative Affairs                               |
| Functional Title | Legislative Liaison                               |
| Incumbent        | Vacant                                            |
| Supervisor       | Legislative Director who reports to the Secretary |
| Location         | Sangamon County                                   |

**G. Illinois Department of Human Services**

|                  |                                                            |
|------------------|------------------------------------------------------------|
| Position Number  | 13852-10-19-040-00-02                                      |
| Position Title   | Executive II                                               |
| Bureau/Division  | Office of Legislation                                      |
| Functional Title | Legislative Liaison                                        |
| Incumbent        | Vacant                                                     |
| Supervisor       | Manager-Office of Legislation who reports to the Secretary |
| Location         | Sangamon County                                            |

**H. Illinois Department of Human Services**

|                  |                                                                                                                     |
|------------------|---------------------------------------------------------------------------------------------------------------------|
| Position Number  | 40070-10-41-300-00-01                                                                                               |
| Position Title   | Senior Public Service Administrator                                                                                 |
| Bureau/Division  | Rehabilitation Services / Bureau of Home Services                                                                   |
| Functional Title | Bureau Chief for Home Services                                                                                      |
| Incumbent        | Nyle Robinson                                                                                                       |
| Supervisor       | Director, Division of Rehabilitation Services, who reports to the Assistant Secretary, who reports to the Secretary |
| Location         | Sangamon County                                                                                                     |

**I. Illinois Department of Juvenile Justice**

|                  |                                                |
|------------------|------------------------------------------------|
| Position Number  | 40070-27-00-000-30-01                          |
| Position Title   | Senior Public Service Administrator            |
| Bureau/Division  | Director's Office                              |
| Functional Title | Chief of Professional Development and Training |
| Incumbent        | Vacant                                         |
| Supervisor       | Director                                       |
| Location         | Cook County                                    |

**J. Illinois State Police**

|                  |                                                                               |
|------------------|-------------------------------------------------------------------------------|
| Position Number  | 40070-21-00-600-00-01                                                         |
| Position Title   | Senior Public Service Administrator                                           |
| Bureau/Division  | Concealed Carry Licensing Review Board (CCLRB)                                |
| Functional Title | Executive Director, Concealed Carry Licensing Review Board                    |
| Incumbent        | Vacant                                                                        |
| Supervisor       | Chairman, Concealed Carry Licensing Review Board, who reports to the Director |
| Location         | Cook County                                                                   |

**K. State Retirement Systems**

|                  |                                     |
|------------------|-------------------------------------|
| Position Number  | 40070-50-74-000-00-02               |
| Position Title   | Senior Public Service Administrator |
| Bureau/Division  | Office of the Executive Secretary   |
| Functional Title | Policy Advisor                      |
| Incumbent        | Vacant                              |
| Supervisor       | Executive Secretary                 |
| Location         | Sangamon County                     |

VI. CLASS SPECIFICATIONS

**A. Governing Rule – Section 1.45 Classification Plan**

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work.

The following class titles were submitted for abolishment and revision by the Director of the Illinois Department of Central Management Services (CMS):

**B. Hearing and Speech Technician 1 (abolish)  
Hearing and Speech Technician 2 (revise)**

**C. Veterans Employment Representative 1 (revise)  
Veterans Employment Representative 2 (revise)**

Staff Analysis: As to the proposed revisions to the Hearing and Speech Technician classes and the Veterans’ Employment Representative classes, Assistant Executive Director Barris asked John Logsdon, Central Management Services-Technical Services, the meaning of the term “Under direction” in the Distinguishing Features of Work section within the Hearing and Speech Technician II class. John Logsdon explained that

July 18, 2014

although not usually used, the term is listed in the Central Management Services transaction manual as a means to describe the general level of direction within the class. While acknowledging that the class had not been used since 1983, Assistant Executive Director Barris also asked about the reasonable career promotional opportunities of the Hearing and Speech Technician II class if there is only one class left after the revision. John Logsdon explained that there was still the possibility for a promotion to a Specialist class and that Technical Services briefly considered labeling it simply Hearing and Speech Technician but the name change would complicate the examining process for the title. Logsdon noted that it was the Central Management Services classification manual, not the transaction manual, in which the term “under direction” was explained.

In light of the fact that the Hearing and Speech Technician I class has not been used since 1983 and the Veterans’ Employment Representative classes have not been updated since before 9/11 and the Iraq War, both classes need revisions to stay current with current training and US Department of Labor guidelines, and both class revisions/abolishments were approved through the collective bargaining process resulting in no changes in compensation in any of the classes, Staff recommended approval as the revisions comply with Section 1.45 of the Rules of the Civil Service Commission.

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER CUMMINGS, AND THE MOTION ADOPTED 5-0 TO APPROVE THE ABOLISHMENT AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON AUGUST 1, 2014:**

- B. Hearing and Speech Technician 1 (abolish)  
Hearing and Speech Technician 2 (revise)**
- C. Veterans Employment Representative 1 (revise)  
Veterans Employment Representative 2 (revise)**

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY.**

**VII. MOTION TO CLOSE A PORTION OF THE MEETING**

**IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO CLOSE A PORTION OF THE MEETING PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT.**

|                   |            |                 |            |
|-------------------|------------|-----------------|------------|
| <b>FITZGERALD</b> | <b>YES</b> | <b>ANDERSON</b> | <b>YES</b> |
| <b>CUMMINGS</b>   | <b>YES</b> | <b>KREY</b>     | <b>YES</b> |
| <b>URLACHER</b>   | <b>YES</b> |                 |            |

July 18, 2014

VIII. RECONVENE THE OPEN MEETING

Upon due and proper notice the regular open meeting of the Illinois Civil Service Commission was reconvened at 160 North LaSalle Street, Suite S-901, Chicago, Illinois at 11:33 a.m.

PRESENT

Chairman Garrett P. FitzGerald; James B. Anderson, Anita M. Cummings, Susan Moylan Krey, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director; and Andrew Barris, Assistant Executive Director (by telephone).

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department.

| <b>Agency</b>                  | <b>5/31/14</b> | <b>6/30/14</b> | <b>6/30/13</b> |
|--------------------------------|----------------|----------------|----------------|
| Aging                          | 2              | <b>2</b>       | 1              |
| Agriculture                    | 0              | <b>0</b>       | 2              |
| Arts Council                   | 0              | <b>0</b>       | 1              |
| Central Management Services    | 7              | <b>6</b>       | 2              |
| Children and Family Services   | 6              | <b>6</b>       | 10             |
| Corrections                    | 1              | <b>1</b>       | 0              |
| Criminal Justice Authority     | 1              | <b>1</b>       | 0              |
| Gaming Board                   | 1              | <b>0</b>       | 0              |
| Healthcare and Family Services | 7              | <b>10</b>      | 21             |
| Historic Preservation Agency   | 5              | <b>5</b>       | 0              |
| Human Rights Department        | 0              | <b>1</b>       | 0              |
| Human Services                 | 1              | <b>4</b>       | 1              |
| Insurance                      | 1              | <b>1</b>       | 1              |
| Juvenile Justice               | 1              | <b>1</b>       | 0              |
| Natural Resources              | 0              | <b>28</b>      | 0              |
| Property Tax Appeal Board      | 0              | <b>0</b>       | 3              |
| Public Health                  | 0              | <b>0</b>       | 2              |
| Revenue                        | 3              | <b>3</b>       | 5              |
| State Police Merit Board       | 0              | <b>0</b>       | 1              |
| State Retirement Systems       | 1              | <b>3</b>       | 0              |
| Veterans' Affairs              | 1              | <b>1</b>       | 4              |
| <b>Totals</b>                  | <b>38</b>      | <b>73</b>      | <b>54</b>      |

July 18, 2014

X. PUBLICLY ANNOUNCED DECISION RESULTING FROM REMAND

**DA-46-12 ON REMAND FROM CIRCUIT COURT (12-MR-968)**

|                       |                                                                                                                                                                                      |                                 |                                           |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-------------------------------------------|
| Employee              | Toria N. Jones                                                                                                                                                                       | Appeal Date                     | 03/08/12                                  |
| Agency                | Healthcare and Family Services                                                                                                                                                       | Decision Date                   | 10/19/12                                  |
| Type                  | Discharge                                                                                                                                                                            | ALJ                             | Andrew Barris                             |
| Proposal for Decision | Uphold discharge                                                                                                                                                                     | Final Decision                  | Uphold discharge.                         |
| Remanded              | Discharge is reversed; remanded to Commission to review the record and conduct such proceedings as may be necessary to determine what discipline, short of discharge, is appropriate | Proposal for Decision on Remand | Appropriate discipline short of discharge |

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO MODIFY THE PROPOSAL FOR DECISION THAT DISCHARGE IS THE APPROPRIATE LEVEL OF DISCIPLINE. THE COMMISSION FINDS THE APPROPRIATE DISCIPLINE, SHORT OF DISCHARGE, TO BE A 90-DAY SUSPENSION PLUS THE DURATION OF THE SUSPENSION PENDING DISCHARGE SO AS TO BE IN COMPLIANCE WITH THE CIRCUIT COURT'S ORDER.**

|                   |            |                 |            |
|-------------------|------------|-----------------|------------|
| <b>FITZGERALD</b> | <b>YES</b> | <b>ANDERSON</b> | <b>YES</b> |
| <b>CUMMINGS</b>   | <b>YES</b> | <b>KREY</b>     | <b>YES</b> |
| <b>URLACHER</b>   | <b>YES</b> |                 |            |

XI. INTERLOCUTORY APPEAL

**S-36-14**

|          |                                                                                        |                       |                                                                               |
|----------|----------------------------------------------------------------------------------------|-----------------------|-------------------------------------------------------------------------------|
| Employee | Keith Perry                                                                            | Appeal Date           | 4/07/14                                                                       |
| Agency   | Human Services                                                                         | Decision Date         | 7/07/14                                                                       |
| Type     | Suspension                                                                             | ALJ                   | Daniel Stralka                                                                |
| Issue(s) | Motion To Dismiss filed for no jurisdiction (employee was suspended pending discharge) | Proposal for Decision | Motion to Dismiss granted subject to approval of Commission; no jurisdiction. |

**IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO APPROVE THE DISMISSAL OF THE APPEAL FOR NO JURISDICTION BECAUSE THE APPEAL WAS NOT FILED FOR A DISCIPLINARY SUSPENSION PURSUANT TO SECTION 302.660 OF THE**

July 18, 2014

**PERSONNEL RULES, BUT A SUSPENSION PENDING DISCHARGE PURSUANT TO SECTION 302.710 OF THE PERSONNEL RULES.**

**FITZGERALD YES                      ANDERSON YES**  
**CUMMINGS YES                      KREY YES**  
**URLACHER YES**

**XII. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL**

**DA-27-14**

|             |                  |                       |                                                                 |
|-------------|------------------|-----------------------|-----------------------------------------------------------------|
| Employee    | Rodney E. Walker | Appeal Date           | 2/21/14                                                         |
| Agency      | Human Services   | Decision Date         | 7/03/14                                                         |
| Appeal Type | Discharge        | Proposal for Decision | 90-day suspension plus duration of suspension pending discharge |
| ALJ         | Andrew Barris    |                       |                                                                 |

**IT WAS MOVED BY COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER KREY, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE THAT THE WRITTEN CHARGES FOR DISCHARGE HAVE BEEN PROVEN AND WARRANT A 90-DAY SUSPENSION PLUS THE DURATION OF HIS SUSPENSION PENDING DISCHARGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.**

**FITZGERALD YES                      ANDERSON YES**  
**CUMMINGS YES                      KREY YES**  
**URLACHER YES**

**XIII. APPEALS DISMISSED WITH NO DECISIONS ON THE MERITS**

**DA-31-14**

|          |                   |                       |                       |
|----------|-------------------|-----------------------|-----------------------|
| Employee | Andrew R. Garrett | Appeal Date           | 3/17/14               |
| Agency   | Revenue           | Decision Date         | 7/08/14               |
| Type     | Discharge         | Proposal for Decision | Dismissed; withdrawn. |

**DA-45-14**

|          |                  |                       |                       |
|----------|------------------|-----------------------|-----------------------|
| Employee | Tammy S. Shehorn | Appeal Date           | 5/27/14               |
| Agency   | Human Services   | Decision Date         | 7/07/14               |
| Type     | Discharge        | Proposal for Decision | Dismissed; withdrawn. |

July 18, 2014

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER CUMMINGS, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSALS FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE GARRETT AND SHEHORN APPEALS.**

|                   |            |                 |            |
|-------------------|------------|-----------------|------------|
| <b>FITZGERALD</b> | <b>YES</b> | <b>ANDERSON</b> | <b>YES</b> |
| <b>CUMMINGS</b>   | <b>YES</b> | <b>KREY</b>     | <b>YES</b> |
| <b>URLACHER</b>   | <b>YES</b> |                 |            |

**XIV. CONSIDERATION OF RESCHEDULING THE AUGUST AND SEPTEMBER 2014 MEETINGS**

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 TO CHANGE THE CALENDAR YEAR 2014 MEETING SCHEDULE IN THE FOLLOWING MANNER:**

- THE LOCATION OF THE AUGUST 15 MEETING WILL BE IN THE COMMISSION'S SPRINGFIELD, ILLINOIS OFFICE AND WILL CONVENE AT 10:30 A.M.**
- THE LOCATION OF THE SEPTEMBER 19 MEETING WILL BE IN THE COMMISSION'S CHICAGO, ILLINOIS OFFICE AND CONVENE AT 11:00 A.M.**

**XV. STAFF REPORT**

Executive Director Daniel Stralka reported that:

- In accordance with the Commissioner's direction, Commission staff sent a letter under the Chairman's signature to the Director of Central Management Services on June 26 seeking information as to the status of Rules grievances. There has been no response to that request.
- On July 3, 2014 the Governor's Office sent a memo to all agencies, boards and commissions under the jurisdiction of the Governor reinforcing his commitment to the principles of the *Rutan* decision. The Administration was taking several actions to ensure that happens including ensuring that *Rutan*-exempt employees are performing duties consistent with their position descriptions. Executive Director Stralka noted that this was consistent with the Auditor General's recommendation to the Commission back in 2010 to monitor Section 4d(3) exempt positions to ensure that the duties being performed match the position description. He and Assistant Executive Director Barris had started to design such a process when the departure of the Commission's Chief Fiscal Officer put it on hold. Commissioner Cummings then commented on the large number of exempt positions and concerns that the State has

July 18, 2014

the fiscal resources to afford them all. A general discussion about the exemption request review process then ensued in which all Commissioners participated. It concluded with the Commissioners expressing concern whether any exemption requests end up not being submitted to the Commission because the Director of Central Management Services did not approve them.

- The Springfield office has a new Xerox copy machine to replace the Sharp which was over ten years old.

XVI. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held Friday, August 15, 2014 at 10:30 a.m. in the Commission's Springfield office.

XVII. MOTION TO ADJOURN

**IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 11:50 A.M.**